

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Applicant acknowledges with appreciation the indication in the Office Action that claims 22, 23, 26-32 and 35 define subject matter that is allowable over the prior art, subject to overcoming the pending rejection under 35 USC 101. New claim 36 recites the subject matter of allowable apparatus claim 23, but with respect to a method, and new claim 37 recites the subject matter of allowable apparatus claim 29, but with respect to a method. Allowable claim 22 has been rewritten in independent form to include the subject matter of base claim 20, and claims 24 and 25 have been amended to depend from amended claim 22. Independent claim 34 has been amended to define a method corresponding to the apparatus of amended claim 22. The amendments of claims 22 and 34 have been drafted to overcome 35 USC 101 rejections applied thereto. Therefore, allowance of claims 22, 34, 36, and 37 and all claims dependent therefrom is warranted.

Claims 18-21 and 33 are now canceled.

Claims 22, 23, 26, 27, 29, 30, 34, and 35 have been amended to overcome the 35 USC 101 rejections, and new claims 36 and 37 are drafted to avoid the type of 35 USC 101 rejections applied in the office action. Each of the amended and new claims positively recites one or more steps or elements that tie the claimed subject matter to a statutory category under 35 USC 101.

Therefore, allowance of all pending claims is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: August 6, 2009
JEL/DWW/att

James E. Ledbetter
Registration No. 28,732

Attorney Docket No. 009289-06129
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 659-6966
Facsimile: (202) 659-1559